

REMARKS

Claims 1-30 were originally filed in the present application.

Claims 1-30 are pending in the present application.

Claims 1-30 were rejected in the June 1, 2007, Office Action.

Claims 1, 5, 11, 15, 21, 25, 26 and 30 are amended herein.

Claims 3, 4, 13, 14, 23, 24, 28 and 29 are cancelled herein.

Claims 1, 2, 5-12, 15-22, 25-27 and 30 remain in the present application.

The Applicant respectfully requests reconsideration of the claims.

In Sections 4 and 5 of the June 1, 2007, Office Action, the Examiner rejected Claims 1, 2, 11, 12, 21, 22, 26 and 27 under 35 U.S.C. §102(e) as being anticipated by U. S. Patent No. 6,687,901 to *Imamatsu*. (hereafter, simply “Imamatsu”). In Sections 6 and 7 of the June 1, 2007, Office Action, the Examiner rejected Claims 3-10, 13-20, 23-25 and 28-30 under 35 U.S.C. §103(a) as being unpatentable over the Imamatsu reference in view of U. S. Patent No. 6,928,579 to *Äijä*, (hereinafter “*Äijä* ”). The Applicant respectfully traverses the rejections.

The Applicant has amended Claim 1 to recite limitations previously recited in dependent Claims 3 and 4. Claim 3 recited a main processor capable of storing first target code from a first target sector in a save-area of non-volatile memory prior to storing a first block of replacement code into the first target sector. In rejecting Claim 3, the Examiner acknowledged that Imamatsu does not disclose such a limitation, but asserted that *Äijä* does describe such a limitation.

Claim 4 depended from Claim 3 and recited storing a parameter indicating that the first target code from the first target sector was successfully stored in the save-area of the non-volatile memory.

The Examiner asserted that Imamatsu as modified by Äijä teaches such a limitation, but cited only the specification of Imamatsu in support of the assertion. The Applicants respectfully submit that if Imamatsu does not describe storing first target code from a first target sector in a save-area of non-volatile memory prior to storing a first block of replacement code into the first target sector, then Imamatsu does not describe storing a parameter indicating that the first target code from the first target sector was successfully stored in the save-area of the non-volatile memory. Therefore, the Examiner has not described where in the cited references storing such a parameter is described.

Furthermore, the Examiner has not described in Imamatsu, Äijä, or the combination of Imamatsu and Äijä that a person of skill in the art would solve by adding the storage of such a parameter to the combination of Imamatsu and Äijä. Instead, the Applicants submit that the motivation to store such a parameter comes from the Applicants' own specification.

As such, amended independent Claim 1 is patentable over the cited references. Amended independent Claims 11, 21 and 26 recited limitations analogous to the novel and non-obvious claims emphasized in traversing the rejection of Claim 1 and, therefore, also are patentable over the cited references. Claims 2 and 5-10 depend from Claim 1, Claims 12 and 15-20 depend from Claim 11, Claims 22 and 25 depend from Claim 21, and Claims 27 and 30 depend from Claim 26, and include all the limitations of their respective base claims. Therefore, Claims 2, 5-10, 12, 15-20, 22, 25, 27 and 30 also are patentable over the cited references.

The Applicant also disagrees with the Examiner's rejections of Claims 1-30 based on additional misdescriptions and/or misapplications of the Imamatsu and Äijä references to at least some of Claims 1-30. However, the Applicant's arguments regarding those other shortcomings of the Imamatsu and Äijä references are moot in view of the Claim 1 arguments above. The Applicant reserves the right to dispute in future Office Action responses the appropriateness and the applications of the Imamatsu and Äijä references to the claims of the present application, including the right to dispute assertions made by the Examiner in the June 1, 2007, Office Action.

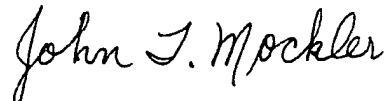
SUMMARY

For the reasons given above, the Applicant respectfully requests reconsideration and allowance of the pending claims and that this application be passed to issue. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *jmockler@munckbutrus.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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Date: December 3, 2007

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